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State of Utah

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DIVISION OF OIL, GAS AND MINING

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September 15, 1999

TO: File

THRU: Daron Haddock, Permit Supervisor *DQH*

FROM: Robert Davidson *RAD*

RE: Response to Division Order 99B, Received August 20, 1999, Loadstar Energy, Inc. Horizon Mine, ACT/007/020, Folder # 2, Carbon County, Utah

Summary:

This amendment was originally submitted on June 18, 1999, in response to Division Order 99B (DO99B). The amendment was returned because it contained inadequate responses and unnecessary materials. On August 20, 1999, the Division received a second submittal. This second submittal contains extraneous information related to reclamation that has no bearing on the Division Order 99B. This extraneous reclamation information has removed previous reclamation details and vital commitments as contained in the approved Mine Reclamation Plan.

Analyses:

The following analyses is specific to the items listed in DO99B ordered May 12, 1999. Items from the order are identified in bold text and followed by discussing inadequacies of the amendment.

ITEM 1a. Update the text of the operation plan of the current MRP to accurately describe the coal conveyance system, separation facilities, coal storage areas, coal mine waste handling and storage facilities area, other materials handling and storage areas, snow storage areas and all haulage areas; and to clearly show on a map all of the preceding in accordance with R645-301-500.

Several requirements outlined under Order 1a are contained in the amendment: 1) The coal conveyance system and separation facilities are described in Section 3.2.3, Surface Buildings and Structures. Plate 3-1, Surface facilities, shows the conveyor system, the ash analyzer and location of coal piles, with the three coal drop points. 2) The coal storage area is located adjacent to the public road (Plate 3-1) but has been set back several feet to allow the operator room for working the pile. 3) Underground development waste will be disposed of underground within the Horizon Mine. No waste storage facilities are shown on the surface; a

permanent waste stockpile will be permitted in the future if it becomes necessary to bring underground waste to the surface. However, a spoil storage facility is needed for sediment pond ditch clean out. 4) The snow storage locations are located above the sediment pond and the storage locations drain to the sedimentation pond.

ITEM 1b. Update the text and maps to show the reclamation plans for each of the preceding items if different than the current reclamation plan, or if the current plan does not include the preceding items in 1.a. in accordance with R645-301-500.

The reclamation plan's Chapter 3 text and map Plate 3-1 have been updated for describing and showing the coal conveyance system, separation facilities, coal storage areas, and snow storage areas.

Bonding has been added to reflect reclamation and disposal of non-marketable coal.

ITEM 2. If coal mine waste is to be produced at the Horizon Mine, state the location and volume of temporary and final storage of coal mine waste at the Horizon Mine in accordance with R645-301-500.

The amendment states that all underground development waste will be disposed of underground and that no coal processing waste will be generated within the permit area. However, a permanent waste stockpile will be permitted in the future if it becomes necessary to bring underground waste to the surface or if coal waste is produced.

ITEM 3. Amend the text of Chapter 3 of the Horizon MRP, Section 3.3, p. 3-6 and 3-7, to clarify Horizon Mining's current MRP designations of "coal", "rocky coal", "high ash coal", "waste rock" and "coal waste materials" as to how they fall under Utah Coal Mining Rules R645 et seq of "coal", "coal mine waste", "underground development waste", or "coal processing waste".

The applicant supplied designations for the terms ASTM standards for coal of differing degrees of quality. A statement is made that Horizon will comply with the definition in R645-100 for coal as defined by the ASTM standards. Appendix 3-10 includes a table with ASTM classifications and their corresponding characteristics for coal and combustible carbonaceous rock.

ITEM 3a. Horizon Mining must further clarify its criteria for underground development waste, specifically referencing a) Mine Safety and Health Administration (MSHA) standards regarding storage of underground development waste in the Horizon Mine workings prior to bringing the waste to the surface.

The applicant stated that all underground development waste will not be brought to the surface and will be stored underground.

ITEM 3b. Horizon Mining must further clarify its criteria for underground development waste, specifically referencing b) ASTM standards distinguishing high ash coal from underground development waste.

The applicant supplied designations for the terms ASTM standards for coal of differing degrees of quality. A statement is made that Horizon will comply with the definition in R645-100 for coal as defined by the ASTM standards. Appendix 3-10 includes a table with ASTM classifications and their corresponding characteristics for coal and combustible carbonaceous rock.

Recommendation:

This second submittal contains extraneous information (Section 3.5.4, Backfilling and Grading, Section 3.5.4.1, Removal or Reduction of Highwalls, and Section 3.5.4.3, Fencing and Erosion Control) related to reclamation that has no bearing on the Division Order 99B. This extraneous reclamation information, has removed previous reclamation details and vital commitments as contained in the approved Mine Reclamation Plan. It is recommended that either the previous commitments and historical information be replaced, or this information be restored as contained in the original MRP.